

I. INTRODUCTION

A. Purpose

To provide employees ample time, up to a maximum of four (4) hours, for the purpose of voting or to request an absentee ballot. Such absence shall be without loss of time or pay. Regulatory reference; Classified: 101 KAR 2:102, Section 7. Unclassified: 101 KAR 3:015, Section 6.

II. PROCEDURES

A. Employees Eligible to Receive Voting Leave

All employees who meet the following conditions are entitled to paid voting leave.

1. The employee must be registered to vote.
2. The employee must be scheduled to work on Election Day between the hours the polls are open (6:00 a.m. to 6:00 p.m. local time).
3. The employee must make application for voting leave prior to Election Day.
4. The employee must live and vote in a county or area holding the election.

B. Absentee Ballot

Pursuant to KRS 118.035 (2), any employee entitled to vote at any election in this state shall, if he/she has made application for leave prior to the day he/she appears before the county clerk to request an application or to execute an absentee ballot, be entitled to four (4) hours of voting leave on the day he/she appears before the clerk during normal business hours of the office of the clerk. It should be noted that KRS 117.075, 117.077, and 117.085 identify those qualified voters who are eligible to apply for an absentee ballot. Those qualified voters include disabled voters; voters who have had a medical emergency within seven (7) days or less of an election; persons incarcerated in jail who have been charged for a crime but has yet to be convicted of the crime; residents of Kentucky who are members of the armed forces and overseas citizens; any member of the county board of elections, and any precinct election officer appointed to serve in a precinct other than in which he/she is an officer may vote by absentee ballot.

Except in the case of a medical emergency a voter is generally required to make application at least seven (7) days prior to the date of the election and prior to the close of normal business hours of the county clerk's office. In many cases the application process requires the submission of supporting documentation, it is therefore recommended that you contact your county clerk for more information about the application process if you believe you qualify for an absentee ballot.

C. General Provisions

1. If an employee is on sick leave, he/she is not eligible for paid voting leave.
2. An employee who is authorized for vacation on Election Day and exercises the right to vote on that day is eligible for four (4) hours of voting leave.
3. Employees who are eligible for paid voting leave who are permitted to work in lieu of time off shall be granted compensatory leave on an hour-for-hour basis.
4. Part-time employees are eligible for paid voting leave for only those hours they are scheduled to work in excess of three and one-half (3 1/2) hours.
5. An employee who exercises his/her right to voting leave but fails to cast a vote, under circumstances which did not prohibit him/her from voting, may be subject to disciplinary action.

D. Requesting Voting Leave

Employees are required to request the use of voting leave from their supervisor or designee using the "Request for Leave" form. In order to allow supervisors adequate time to plan work schedules, employees are required to submit their request for voting leave in advance.

E. Election Leave

An employee who works as an election officer may take four hours of voting leave and the balance will be posted as election leave. This leave should also be requested in advance using the "Request for Leave" form.